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MAY 1993

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Territory: Puerto Rico

Citation	Condition or Requirement
1905(p)(1)(C) and (D) and 1902(r)(2) of the Act	<p>g. For qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, the agency uses the following methods for treatment of income and resources--</p> <p>____ The methods used under the SSI program.</p> <p>____ The methods used under SSI program and/or more liberal methods described in <u>Supplements 5 and 6 of ATTACHMENT 2.6-A.</u></p>
1905(s) of the Act	<p>h. For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the agency uses the methods under the SSI program for treatment of income and resources.</p>
1902(a)(10)(E)(iii) of the Act	<p>i. For specified low-income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act, the agency uses the same methods as in g. for QMBs.</p>

Not Applicable

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Citation

Condition or Requirement

1903(f)(2) of
the Act

a. Medically Needy (Continued)

- (3) If countable income exceeds the MNIL standard, the agency deducts spenddown payments made to the State by the individual.

NOT APPLICABLE

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Citation	Condition or Requirement
1902(k) of the Act	<p>3. Medicaid Qualifying Trusts.</p> <p>In the case of a Medicaid qualifying trust described in section 1902(k)(2) of the Act, the amount from the trust that is deemed available to the individual who established the trust (or whose spouse established the trust) is the maximum amount that the trustee(s) is permitted under the trust to distribute to the individual. This amount is deemed available to the individual, whether or not the distribution is actually made. This provision does not apply to any trust or initial trust decree established before April 7, 1986, solely for the benefit of a mentally retarded individual who resides in an intermediate care facility for the mentally retarded.</p> <p><input type="checkbox"/> The agency does not count the funds in a trust as described above in any instance where the State determines that it would work an undue hardship. <u>Supplement 4 to ATTACHMENT 2.6-A</u> specifies what constitutes an undue hardship.</p>

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4.b. Categorically Needy - Section 1902(f) States
Continued

1903(f)(2) of
the Act

— (6) Spenddown payments made to the State by
the individual.

NOTE: FFP will be reduced to the extent a State is
paid a spenddown payment by the individual.

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1902(a)(10)(C) of the Act	<p>4. Medically Needy Income Levels</p> <p>a. Medically needy income levels (MNILs) are based on family size.</p> <p>b. The MNIL does not diminish by family size.</p> <p>c. The MNIL at least equals the amount of the highest income standards used on or after January 1, 1966, to determine eligibility under the cash assistance programs related to the States covered medically needy groups or groups of individuals.</p> <p><u>Supplement 1 to ATTACHMENT 2.6-A</u> specifies the MNILs for all covered medically needy groups.</p>
42.CFR 436.831	<p>5. Handling of Excess Income - Spend-down for Medically Needy</p> <p>a. Income in excess of the MNIL is considered available for payment of medical care and services. The Medicaid agency measures available income for a period of <u>one</u> month(s) (not to exceed six months) to determine the amount of excess countable income applicable to the cost of medical care and services.</p>

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	b. If countable income exceeds the MNIL standard, the agency deducts the following incurred expenses in the following order:
	(i) Health insurance premiums, deductibles and co-insurance charges.
	(ii) Expenses for necessary medical and remedial care not included in the plan.
	(iii) Expenses for necessary medical and remedial care included in the plan.
	— Reasonable limits on amounts of expenses deducted from income under (b)(i) and (ii) above are listed below.

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1902(a)(17) of the Act	Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.
	<input checked="" type="checkbox"/> The agency elects not to deduct incurred expenses that are paid by a third party that is a program funded by a State or local government under its section 1902(f) option.
6. Resource Standard - Categorically Needy	
	a. Except as specified in item C.6.b. below, the resource standards are the same as those in the related cash assistance program.
1902(1)(3)(A), (B), and (C) of the Act	b. For pregnant women and infants covered as optional groups under the provisions of section 1902(a)(10)(A)(i)(IV), the agency applies a resource standard:
	<input type="checkbox"/> Yes. Supplement 3 to <u>ATTACHMENT 2.6-A</u> specifies the standard, which, for pregnant women, is no more restrictive than the standard under sections 1612 and 1613 of the Act and for infants, is no more restrictive than the standard applied in the State's approved AFDC plan.
	<input type="checkbox"/> No. The agency does not apply a resource standard to these individuals.

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1902(1)(3)(A), (B), and (C) of the Act	<p>c. For children covered as optional groups under the provisions of section 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(ii)(IX), and 1902(1)(4) of the Act, the agency applies a resource standard:</p> <p>— Yes. Supplement 3 to <u>ATTACHMENT 2.6-A</u> specifies the standard, which is no more restrictive than the standard applied in the State's approved AFDC plan.</p> <p><u>X</u> No. The agency does not apply a resource standard to these individuals.</p>
1902(a)(10)(C) of the Act	<p>7. Resource Standard - Medically Needy</p> <p>a. The resource standard does not diminish by family size.</p> <p>b. Resource standard equal to the highest resource standard used in the cash assistance programs related to the covered medically needy groups.</p>

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1905(p)(1) (C) and (D) and 1902(r)(2) of the Act	5. h. <u>For Qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act</u> the agency uses the following methods for treatment of resources: — The methods of the SSI program only. — The methods of the SSI program and/or more liberal methods as described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u>
1905(s) of the Act	i. For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the agency uses SSI program methods for the treatment of resources.
1902(u) of the Act	j. For COBRA continuation beneficiaries, the agency uses the following methods for treatment of resources: — The methods of the SSI program only. — More restrictive methods applied under section 1902(f) of the Act as described in Supplement 5 to Attachment 2.6-A.

NOT APPLICABLE
QUALIFIED MEDICARE
BENEFICIARIES ARE NOT COVERED.

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Citation	Condition or Requirement
6. Resource Standard - Categorically Needy	
NOT APPLICABLE	a. 1902(f) States (except as specified under items 6.c. and d. below) for aged, blind and disabled individuals:
	___ Same as SSI resource standards.
	___ More restrictive.
	The resource standards for other individuals are the same as those in the related cash assistance program.
	b. Non-1902(f) States (except as specified under items 6.c. and d. below)
	The resource standards are the same as those in the related cash assistance program.
	Supplement 8 to ATTACHMENT 2.6-A specifies for 1902(f) States the categorically needy resource levels for all covered categorically needy groups.

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